

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

In re: *Ex Parte* Application of Libyan Asset Recovery and Management Office to Conduct Discovery for Use in Foreign Proceedings Pursuant to 28 U.S.C. § 1782,

Petitioner.

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DATE FILED: 04/27/2023

21-MC-852 (JGK) (BCM)

ORDER

BARBARA MOSES, United States Magistrate Judge.

Petitioner, the Libyan Asset Recovery and Management Office (LARMO), filed this action on December 9, 2021, seeking leave, pursuant to 28 U.S.C. § 1782 and Fed. R. Civ. P. 26 and 45, to serve Bank of America N.A., Citigroup Inc. d/b/a Citibank, JP Morgan Chase Bank N.A., UBS Group A.G., HSBC Bank, Credit Suisse Bank N.A., Bank of New York Mellon Corporation, and Deutsche Bank Trust Company Americas with subpoenas for the purposes of "obtaining necessary discovery in aid of contemplated foreign proceedings." (Dkt. 1, at 1.) On December 11, 2021, the Hon. John G. Koetl, United States District Judge, referred this matter to me for general pretrial management. (Dkt. 7.)

On December 17, 2021, the Court received a letter from Khaled Daief, on letterhead from the Embassy of the State of Libya, which attached correspondence from Mohamed Ramada, General Manager of LARMO, informing the Court that "the legal firms who brought this case and were engaged by [his] predecessor at LARMO, have acted without appropriate legal authority[.]" (Dkt. 9, at ECF p. 2.) Three days later, Oren J. Warshavsky, counsel of record for LARMO, informed the Court that his firm was "discussing [the December 17 letter] with our co-counsel . . . , and others at [LARMO]," to respond to Mr. Daief's submission. (Dkt. 10.)

On January 13, 2022, I stayed the instant action pending a further response from petitioner and its counsel. To date, no response has been filed.

It is therefore ORDERED that, no later than **May 4, 2023**, petitioner shall file a status report advising the Court whether or not it intends to pursue this action. If not, petitioner should discontinue the action.

Dated: New York, New York
April 27, 2023

SO ORDERED.



BARBARA MOSES
United States Magistrate Judge